

## Planning Meeting

- i. Administrative Report
- a. "Snow Bowl" Game at RSL Stadium [5:33:39 PM](#)
- b. CRSA Engineering Feasibility Study/ Old City Hall [5:46:37 PM](#)
- c. Land Lord Program [Chief Chapman] [6:34:59 PM](#)
- d. Animal Ordinance- Update [Bergan, Miller] [6:49:19 PM](#)

## MINUTES

### **SANDY CITY COUNCIL MEETING**

Sandy City Hall - Council Chamber Room #211  
10000 Centennial Parkway  
Sandy, Utah 84070

**June 17, 2008**

Meeting was commenced at **7:05** p.m.

#### **PRESENT:**

**Council Members:** Chairman Chris McCandless, Vice Chairman Scott Cowdell, Bryant Anderson, Steve Fairbanks, Linda Martinez Saville, Stephen Smith, and Dennis Tenney

**Mayor:** Tom Dolan

**Others in Attendance:** CAO Byron Jorgenson; Assistant CAO Scott Bond; Assistant to the CAO Korbin Lee; City Attorney Walter Miller; Community Development Director Mike Coulam; Assistant Director Community Development Nick Duerksen; Public Utilities Director Shane Pace; Operations Manager Public Utilities East Larry Bowler; Conservation/Storm Water Program Coordinator Kim Singleton; Public Works Director Rick Smith; Economic Development Director Randy Sant; Police Chief Stephen Chapman; Council Office Director Phil Glenn; Council Office Manager Pam Lehman

#### **ABSENT/EXCUSED:**

**Mayor Tom Dolan** [ill]

#### 1. **OPENING REMARKS/PRAYER/PLEDGE:**

The Prayer was offered by **Hannah Olander**, and the Pledge was led by **N8 Rollins**.

#### 2. **SPECIAL PRESENTATION:**

**Special Recognition: Sandy Utah Hillcrest Stake (Sego Lily Gardens)**

**Chairman Chris McCandless** presented a resolution of commendation to **Larry Bowler**, **Kim Singleton**, and **Valarie Smith** for organizing the Hillcrest Stake Service Project held on May 7, 2008. They were commended for their countless hours of service donated by youth and adults for maintenance and plantings at Sego Lily Gardens, Sunburn Land Detention Pond, and Lone Hollow Well House. [7:09:23 PM](#)

**Steve Fairbanks** acknowledged Valarie Smith for her efforts and hard work in maintaining the Sego Lily Gardens. Mr. Fairbanks stated "she does a magnificent job".

#### **CITIZEN(S) COMMENTS:**

- a. There were no Citizen Comments. [7:12:59 PM](#)

#### **COUNCIL ITEMS:**

**Motion:** At approximately 7:12 p.m., **Stephen Smith** made the motion to adjourn City Council Meeting and convene into the Sandy Arts Guild Meeting.

**Second:** **Dennis Tenney**

**Vote:** The Council responded verbally in the affirmative to the motion.

**\*\*\*Sandy Arts Guild Meeting\*\*\***

3. **Community Events Director Mearle Marsh** presented a brief update to the City Council regarding the status of the Sandy Arts Guild; their accomplishments and future goals. He reported on the success of the following productions: Beauty and the Beast, held in cooperation with Hillcrest High School, Music Man Junior, a production of the Children's Theater, The Dance of Romance, and Rag Time, a production that was performed in concert, along with the annual Sandy Arts Show. He mentioned that several individuals who were involved in last year's Arts Show will not be participating in this year's show. The Guild is looking for individuals interested in presiding over the arts show. The Guild would appreciate any recommendations from the City Council for potential candidates to help fill vacant positions on the board. [7:13:17 PM](#)

Future goals for the Arts Guild include: to form a theater co-op with local community theaters to mitigate production costs; working towards programming for the Children's Theater; the completion of the new storage facility; updates to technical equipment at the amphitheater; and the purchase of a new keyboard.

**Mr. Marsh** recognized the following Arts Guild members who were present at the meeting: **Jeff Moon, Diane Jensen, Karin Johnstone, and Carla Marsden**. He also presented a copy of a flowchart [ **Exhibit "A"** ] demonstrating the organization of the Sandy Art's Guild.

**Chris McCandless** asked how many employees and volunteers work for the Guild.

**Mr. Marsh** stated that the Guild employs four full-time and two part time employees, along with one contract employee and several seasonal employees. Four individuals are currently serving on the Arts Guild Executive Board; along with eight individuals who serve on the extended board.

The Guild would like to hire one additional contract employee to act as an asset manager for costumes, and to fill the two vacant positions on the board: President Elect and Treasurer.

The bi-laws ask that individuals serve for a period of three years; however, the three year time period may be shortened if needs require it.

**Chris McCandless** asked if the total number of people serving on the Guild ranged between 60-70 people.

**Mr. Marsh** stated "yes", however, many more people are needed.

**Chris McCandless** requested that a discussion be scheduled during Planning Meeting in two weeks to address names for potential candidates to fill the vacant positions on the board.

**Steve Fairbanks** asked what the cost differences were between concert and theatrical productions.

**Mearle Marsh** stated that concert productions are substantially less costly since costumes and sets are not necessary. Also, time commitments are far less demanding which opens up opportunities for more productions.

**Bryant Anderson** commented that people in the community will come out and support these performances if more people can become involved.

**Motion: Steve Fairbanks** made the motion to adjourn the Sandy City Arts Guild Meeting and reconvene into the Sandy City Council Meeting.

**Second: Stephen Smith**

**Vote:** The Council responded verbally in the affirmative to the motion.

\*\*\*\* Sandy City Council Meeting \*\*\*\*

**Councilman Steve Fairbanks** asked **Assistant to the Mayor John Hiskey** for a brief update on the June 18, 2008, Utah League's Legislative Policy Committee Meeting [LPC].

**Mr. Hiskey** reported that discussions were held regarding the Justice Court Restructuring and the effect it would have on smaller communities, Water Rights in Utah, Taxing Issues and Affordable Housing.

As regards the courts, Steve Fairbanks noted that if a complaint were to be lodged by an attorney or litigants against a judge and it was in objection to the proceedings and not actual judge conduct, no disciplinary action would be against a Judge. However, if charges were filed by a City Official, Police, or Government entity, then disciplinary charges were filed against the Judges 70% of the time.

**John Hiskey** reported that the Education Transition Team closed applications for the Superintendent position last Friday. Twelve applicants from across the United States applied for this position. A retreat has been scheduled for the new school board for July 11, 2008, prior to their official appointment as board members. July 15, 2008, will be their appointment date.

4. **Parking Management Plan Update/ ReAL Salt Lake**

**Mike Steele**, General Manager for ReAL Salt Lake distributed a written report and presented a brief oral summary on their progress to meet specific requirements set forth in the Development Agreement regarding the Parking Management Plan for the stadium. Mr. Steele stated that this has been a joint effort between UDOT, UTA, The Jordan School District, and City Staff to bring this to fruition. [7:35:26 PM](#)

**Stephen Smith** asked if they were working to acquire parking stalls at the Expo Center.

**Mike Steele** reported that they have signed a contract with the Expo Center for 1,000 stalls.

**Mike Coulam** asked Mr. Steele if a reciprocal exchange had been agreed upon between ReAL and the Expo Center parking lots.

**Mike Steele** indicated that ReAL has invited promoters for the RV and Boat show to tour their facility, and discuss the possibilities of renting parking lot space from ReAL to use as a staging area.

**Chris McCandless** expressed appreciation to Mr. Steele for ReAL's efforts in meeting the challenges and requirements of the Parking Management Agreement. This agreement will prove to be very beneficial for traffic flows in and out of the soccer stadium.

5. **Cancellation of June 24<sup>th</sup> City Council Meeting**

**Resolution #08- 48C** – amending the regular meeting schedule by canceling the June 24<sup>th</sup> City Council Meeting. [7:49:58 PM](#)

**Motion:** **Steve Fairbanks** made the motion to adopt **Resolution #08-48 C**, amending the regular meeting schedule by canceling the June 24<sup>th</sup>, 2008 City Council Meeting.

**Second:** **Linda Martinez Saville**

**Vote:** **Fairbanks- Yes, Saville- Yes, Tenney- Yes, Cowdell- Yes, Anderson- Yes, Smith – Yes, McCandless –Yes**

**Motion Approved: All in Favor**

6. **Appointment of New Council Chair and Vice Chair**

**Resolution #08-49 C** – appointing a Council Chairman and Vice Chairman for the Sandy City Council to serve for a period of six months, such period to begin July 1, 2008, and ending December 31, 2008.

**Motion:** **Steve Fairbanks** made the motion to adopt **Resolution #08-49 C**, appointing **Scott Cowdell as Chairman** and **Steve Smith as Vice Chairman** to serve for period of six months, such period to begin July 1, 2008 and ending December 31, 2008.

**Second:** **Linda Martinez Saville**

**Vote:** **Fairbanks- Yes, Saville- Yes, Tenney- Yes, Cowdell- Yes, Anderson- Yes, Smith – Yes, McCandless –Yes,**

**Motion Approved: All in Favor**

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**Adjourn City Council Meeting and reconvene into:** [7:51:58 PM](#)

**\*\*\*Redevelopment Agency Meeting\*\*\***

**[See Separate Agenda – Election of Officers]**

7. **Appointing Council Members to Various Citizens Committee**

**Resolution #08- 50 C** – appointing City Council members to serve on various Sandy City Citizen Committees for a term beginning July 1, 2008, and ending December 31, 2008.

**Discussion:** **Stephen Smith** expressed concern regarding some individuals' perception of the City's relationship with the Sandy Club for Boys and Girls. He questioned whether the City Council should appoint liaisons on the Sandy Club. He felt that the City should not treat the Sandy Club differently than any other nonprofit organization. [7:53:35 PM](#)

**Scott Cowdell** said that City Council members serve as a liaison, which is an advisory position, and do not act as voting members on the board.

**Dennis Tenney** stated that he does not view the role of a liaison to the Sandy Club any differently than the role of the liaison to the Planning Commission or the Chamber of Commerce. He stated that the Council representative is there to listen and learn and not to act as a voting member on any of the committees, boards, or commissions.

**Stephen Smith** questioned whether the City would offer the same council liaison to other nonprofit organizations.

**Dennis Tenney** stated "no". The Council has a vested interest in the effective management of the Sandy Club and the Chamber of Commerce since they both receive significant funding from the City.

**Chris McCandless** asked Mr. Tenney if he was a board member of the Sandy Club.

**Mr. Tenney** stated "no". He has been assigned as the Council liaison to the Club.

**Mr. Glenn** stated that none of the City Council members presently serve as voting board members on these various organizations.

**Scott Cowdell** stated that Council members serve as advisors only to all the various boards and committees. Mr. Cowdell asked Mr. Smith about his intent regarding the Club.

**Stephen Smith** stated that based on some comments from the public, and that the position of the Executive Director of the Sandy Club is a member of the City Council, it presents a perception that the City Council may be "cozy" with that organization.

**Scott Cowdell** asked if Mr. Smith's position would be to stop a City Council member from acting as liaison to the Sandy Club.

**Stephen Smith** stated "yes".

**Mr. Tenney** stated that he respectfully disagreed with Mr. Smith's position on this issue. The City Council has a responsibility to oversee the various entities in the community who receive city funds. The current system has proved to be a healthy process.

**Steve Fairbanks** stated that he also has had similar concerns expressed to him from various individuals in the community.

**Chris McCandless** suggested having the Council address these concerns during an upcoming Planning Meeting.

**Bryant Anderson** asked City Attorney Wally Miller to comment on this issue from a legal perspective.

**Wally Miller** stated that the Sandy Club is a recreational program for the youth of the City. The City Council has the right to set any type of standards and guidelines they choose. The City Council monitors all city programs as well as the funding that is allocated. He did not believe that it would be inappropriate to have a liaison from the Council to the Club. If criticisms are being expressed that there are conflicts of interest or inappropriate spending of city funds, the Administration and Council should talk about these concerns and get them out in the open so that they can be addressed.

**Chris McCandless** stated that this seems to be an issue of policy which may affect several committees in the City. No individual should sit on any board where there may be a conflict of interest. However, Council liaison assignments are important to the Council's monitoring responsibilities.

**Dennis Tenney** stated that he also felt that the liaison from the City Council should not be allowed to sit on the board of the Sandy Chamber of Commerce. Council members should act as liaisons in an advisory position on the various committees.

**Stephen Smith** stated that he believes the closeness and appearance of an impropriety stems from Council members who are employed by organizations that are funded by the City. The funding that is provided to the Sandy Chamber is a "mere pittance" compared to the funding provided to the Sandy Club. The Sandy Club can become dependent

upon the City and the relationship of the Council is called into question as to whether this organization would be treated the same if a member of the Council were not associated with the organization. The question and policy then is how the City should treat other nonprofit organizations.

**Dennis Tenney** stated for that very reason, it is important to have Council oversight on the various organizations to make certain there are no conflicts of interests.

**Motion:** **Scott Cowdell** made the motion to continue appointing a Council liaison to the Sandy Boys and Girls Club, the Arts Guild, Senior Citizen Center, Chamber of Commerce, and the Sandy Museum with the stipulation that City Council members serving as Liaisons cannot sit on any boards and only act in an advisory role with no voting rights. [8:20:10 PM](#)

**Second:** **Dennis Tenney**

**Question on the motion:** **Steve Fairbanks** indicated that he is a board member on the Sandy Chamber of Commerce. The contract stipulates that the representative from the City will be a voting board member.

**Dennis Tenney** stated that a potential conflict does exist if the contract with the Chamber stipulates that City Council members sit as board members. If this is the case, it should be addressed immediately.

**Scott Cowdell called the Question on the Motion.**

**Second:** **Dennis Tenney**

**Vote:** **Cowdell-Yes, Tenney-Yes, Fairbanks- Yes, Anderson- Yes, Smith-Yes, Saville-**

**McCandless – Yes.**

**Question:** **Stephen Smith** asked if Mrs. Saville could abstain from voting without declaring a conflict of interest.

**Phil Glenn** stated that the rules of procedure state that the Council determines whether or not it agrees with a Council member's decision to abstain from a vote. [**\*\*Note:** It is the Council's prerogative to make the decision]

**Vote on the original motion:** **Cowdell-Yes, Tenney-Yes, Fairbanks- No, Anderson- No, Smith-No, Saville- Abstain, McCandless – Yes.**

**Motion Fails: Tie Vote**

**Mr. McCandless** stated that he voted in favor of the motion because he liked the concept of having liaisons on the various committees and boards. He also supports holding a policy discussion with the Council and Administration regarding this issue.

**Motion:** **Bryant Anderson** made the motion recommending that a discussion with the Council and Administration be held on this issue in the very near future.

**Second:** **Dennis Tenney**

**Discussion on the Motion:** **Dennis Tenney** stated that the failed motion has thrown the entire process into a turmoil. The liaison positions on the committees and boards no longer exist, which in his opinion, is a dereliction of the Council's responsibility.

**Chris McCandless** asked Mr. Anderson to please restate his motion.

**Bryant Anderson** stated that his motion is to address the policy of whether Council members are allowed to sit on the various boards, and to discuss other policy related items at a future Council meeting, and to continue to maintain the status of present liaisons on the various boards and committees until these issue can be addressed.

**Wally Miller** stated that the roles of the liaisons should be further clarified and defined. If a council member becomes an advocate for a particular constituency, this could become a conflict of interest. However, if the role of the Council is to oversee city funds, this would be consistent with sound city policies.

**Dennis Tenney** stated that he would also like to further discuss the role of the Council liaison to the Sandy Chamber of Commerce.

**Steve Fairbanks** indicated that the council liaison serving as a board member on the Sandy Chamber is a recent decision.

**Phil Glenn** clarified that since the motion ended as a tie vote, it is as if no changes have been made to the current policy. A motion by the Council is needed to formally act on the resolution.

**Chris McCandless** clarified the motion before the Council: Bryant Anderson, with a second from Dennis Tenney, to continue appointing liaisons to the various citizen committees and boards with Chris McCandless as the liaison to the Planning Commission, and removing Mr. McCandless's name as liaison to the Sandy Club for Boys and Girls.

**Amended Motion: Dennis Tenney** made the motion to adopt **Resolution #08-50 C**, leaving committee assignments the same with the exception that Chris McCandless be appointed as liaison to the Planning Commission, and that he be removed from the Sandy Club, and that a discussion be held clarifying the role of liaisons to the various citizen committees and boards, specifically the Sandy Chamber of Commerce. **[Ref: Exhibit "A" attached]**

**Second: Stephen Smith**

**Vote: Tenney-Yes, Smith-Yes, Anderson- Yes, Fairbanks-Yes, Cowdell-Yes, Saville-Yes, McCandless-Yes.**

**Motion Approved: All in Favor**

#### **Exhibit A**

*The following Council members be appointed to serve on the following Sandy City Citizen Committees, Boards, and Commissions for a term beginning July 1, 2008, and ending December 31, 2008 as follows:*

1. The Orchestra & Chorus of Sandy City .....Bryant Anderson
2. Arts Guild .....Bryant Anderson
3. Auto Mall Review Committee .....Dennis Tenney
4. Beautification Committee .....Linda Martinez-Saville
5. Board of Adjustment .....Linda Martinez-Saville
6. CDBG Committee .....Scott Cowdell
7. Chamber of Commerce Board .....Steve Fairbanks
8. Civic Center Architectural Review Committee .....Steve Smith, Chris McCandless
9. Community Response Team Advisory Committee.....Scott Cowdell
10. Dimple Dell Advisory Board .....\*County Appointment\*
11. Healthy Sandy Steering Committee.....Steve Fairbanks, Linda Martinez-Saville, Steve Smith



12. Historic Committee.....Scott Cowdell
13. Planning Commission Liaison .....Chris McCandless
14. Public Safety Committee .....Steve Fairbanks
15. Public Safety Review Board .....Scott Cowdell
16. Public Utilities Advisory Board .....Chris McCandless, Steve Fairbanks
17. Recreation Trails Committee .....Linda Martinez-Saville
18. Sandy City Employees= Association .....Scott Cowdell
19. Sandy Pride Committee .....Bryant Anderson, Linda Martinez-Saville, Chris McCandless
20. Sandy Club A Safe Place for Boys & Girls@ .....Dennis Tenney
21. Senior Center Advisory Council.....Linda Martinez-Saville
22. Transportation Committee .....Chris McCandless, Steve Fairbanks
23. ULCT Legislative Policy Committee.....Bryant Anderson, Dennis Tenney, Steve Smith  
(\*Annual Appointment made by the League\*)( 3<sup>rd</sup> Monday during Session every

Mon.)

24. Association of City Councils .....Dennis Tenney
25. COG Representative ..... Bryant Anderson

\*One Year appointment - January to January)

#### 8. **Creation of Snowbird/Sandy Little Cottonwood Canyon Coordinating Committee**

**Discussion:** **Chris McCandless** noted that a discussion to create a Snowbird/Sandy Little Cottonwood Canyon Coordinating Committee was held by Sandy City and Snowbird officials at a recent meeting. Mr. McCandless stated that he strongly supports the creation of this new committee, and would be willing to serve on it. He noted that other potential members on the committee would include members from the administration.

**Phil Glenn** stated that individuals considered for appointment are Communications Manager Trina Duerksen, Economic Development Director Randy Sant, and Sandy Chamber President Nancy Workman.

**Chris McCandless** indicated that he has discussed this assignment with Chamber President Nancy Workman who expressed excitement in serving on the committee.

**Phil Glenn** stated that he along with City Attorney Wally Miller would present a resolution for creation of the Snowbird/Little Cottonwood Canyon Committee.

#### 9. **Appointment of Shane Pace as the Sandy Representative to the Cottonwood Canyons Foundation**

**Discussion:** **Chris McCandless** explained the function of the Cottonwood Canyons Foundation which consists of owners and operators from all of the four major ski resorts, the forest service and Salt Lake Water Department. The Foundation raises funds to protect water sheds and environmental reclamation. The organization has also received national recognition from the Environmental Protection Agency. It has been suggested that Public Utilities Director Shane Pace be appointed as a member representing Sandy City. [8:22:11 PM](#)

**Phil Glenn** noted that this organization also provides trail, pick-nick and camp ground renovations.

**Motion:** **Dennis Tenney** made the motion to appoint Public Utilities Director Shane



Pace

as the Sandy Representative to the Cottonwood Canyons Foundation.

**Second:**

**Steve Smith**

**Vote:**

**The Council responded verbally in the affirmative to the motion.**

10. **MAYOR'S REPORT**

- a. No Report was given.

11. **CAO'S REPORT**

- a. No Report was given.

12. **COUNCIL OFFICE DIRECTOR'S REPORT**

- a. **Phil Glenn** presented a copy of the updated monthly calendar. He reminded the Council of the computer training scheduled for July 1<sup>st</sup> during Planning Meeting. [8:23:54 PM](#)

13. **OTHER COUNCIL BUSINESS**

- a. **Scott Cowdell** requested an updated list on the dates and times of the Citizen Committees meetings. [8:25:34 PM](#)
- b. **Steve Fairbanks** asked that the Administration brief the Council during an upcoming meeting on the roles that the liaisons play on the various citizen committees and boards. Wally Miller was asked for some legal direction; how to maintain one's role as liaison without becoming advocate.
- c. **Chris McCandles** reported that he would be out of town for the July 1<sup>st</sup> City Council meeting. He also requested that the City Traffic Engineer address the curve on 106<sup>th</sup> South 1300 East. He witnessed another vehicle down in the gully the other day. He realizes that this is a County road, but asked if jersey barricades could be installed to prevent this from occurring again. This is a very serious issue that needs immediate attention.
- d. **Phil Glenn** expressed appreciation on behalf of the City Council to Chirs McCandless for his service as chairman this past six months. Mr. Glenn stated that it has been a privilege working with him, and stated that "he has been a great chairman."

At approximately 8:30 p.m., **Steve Fairbanks** made a motion to adjourn Council Meeting, motion seconded by **Scott Cowdell**.

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

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**Chris McCandless**  
**Council Chairman**

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**Pam Lehman**  
**Council Office Manager**

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